

**REMARKS/ARGUMENTS**

Applicant thanks the Examiner for the thorough consideration given the present application.

Claims 1, 4-14 and 17 are pending. Claims 1, 9 and 14 are independent and are amended. Claims 2, 3, 15 and 16 have been canceled.

Accordingly, reconsideration of the present application, as amended, is respectfully requested.

**Claim Rejections Under 35 U.S.C. § 102 and 103**

Claims 1, 4-7 and 12 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,631,850 to Tanaka et al. Claims 8-11, 13 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanaka et al. Claims 2, 3 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanaka et al. in view of U.S. Patent No. 5,042,070 to Linna et al. These rejections, insofar as they pertain to the presently pending claims, are respectfully traversed.

While not conceding the appropriateness of the rejections of the claims, but merely to expedite prosecution of the instant application, claims 2 and 3 are canceled and independent claim 1 is amended to recite a combination of steps in a method for displaying audio settings menu of a display apparatus,

including “detecting a connection state of audio output terminals, wherein the audio output terminals are speaker output terminals and monitor output terminals, and wherein the connection state is the number of speakers connected to the speaker output terminals and the number of external amplifiers connected to the monitor output terminals.”

Claim 9 is rewritten in independent form including all of the limitations of base claim 1. Claim 9 now recites “determining usable audio menus based on the connection state and the audio source information, wherein the determining step further comprises a detecting process for detecting the number of channels, whether or not a prologic encoding exists, an existence of a subwoofer channel, an existence of a multilingual service, and an existence of additional audio services, when the audio source is encoded with an AC-3.”

Independent claim 14 is amended to recite a combination of elements in an apparatus for displaying audio menu of a DTV, including “means for detecting a connection state of the audio output terminals, wherein the audio output terminals are speaker output terminals and monitor output terminals, and wherein the connection state is the number of speakers connected to the speaker output terminals and the number of external amplifiers connected to the monitor output terminals.”

It is respectfully submitted that the combinations of elements and steps set forth in claims 1, 9 and 14 are not disclosed by or made obvious over the applied prior art of record, including Tanaka et al. or Linna et al.

Tanaka et al. is directed to a connection control apparatus for controlling the output of picture signals and audio signals from equipment in audio visual systems in which one or more external apparatuses are controlled based on a control signal from a CPU 5 and the external apparatuses include signal generators 13a and 14a that generate test signals, as shown in Fig. 1. The CPU 5 determines whether the connection between VCR 13 and a terminal is correct and displays a user prompt as a result of the connection determination. As shown in Fig. 12, D2B communications processing microcomputer 109 assigns an address to a specific piece of equipment such as the VCR 30 and is interrogated using a D2B command. If there is no response to this interrogation, an address error is generated and the D2B communications processing microcomputer 109 determines that the D2B control line is not connected to this item of equipment.

However, Tanaka et al. does not teach or suggest "detecting a connection state of audio output terminals, wherein the audio output terminals are speaker output terminals and monitor output terminals, and wherein the connection state is the number of speakers connected to the speaker output

terminals and the number of external amplifiers connected to the monitor output terminals,” as set forth in claims 1 and 14. Moreover, Tanaka et al. does not teach or suggest “determining usable audio menus based on the connection state and the audio source information, wherein the determining step further comprises a detecting process for detecting the number of channels, whether or not a prologic encoding exists, an existence of a subwoofer channel, an existence of a multilingual service, and an existence of additional audio services, when the audio source is encoded with an AC-3,” as recited in claim 9.

The Office Action relies on Linna et al. for teaching the detection of the presence of rear speakers, incorporating a sensor to inform the user of the presence of specific devices and controlling the menu display of speaker parameters. However, Linna et al. does not teach or suggest the above-cited limitations of claims 1, 9 and 14 because Linna et al. is not directed to detecting a connection state of audio output terminals, wherein the audio output terminals are speaker output terminals and monitor output terminals, or a detecting process for detecting the number of channels, whether a prologic encoding exists, an existence of a subwoofer channel, an existence of a multilingual service, and an existence of additional audio services. Therefore,

Linna et al. fails to cure the deficiencies of Tanaka et al. with respect to claims 1, 9 and 14.

For at least the foregoing reasons, the invention as recited in the independent claims and their dependent claims (due to their dependency) is patentable over the applied prior art of record, including Tanaka et al. and Linna et al. Accordingly, the rejections under 35 U.S.C. § 102(b) and 103(a) should be withdrawn.

### **CONCLUSION**

For the foregoing reasons and in view of the above clarifying amendments, Applicant respectfully requests the Examiner to reconsider and withdraw all of the objections and rejections of record, and earnestly solicits an early issuance of a Notice of Allowance.

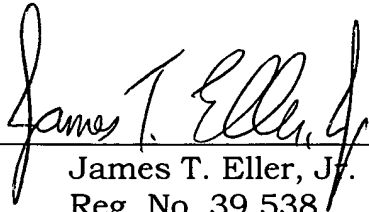
Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Sam Bhattacharya (Registration No. 48,107) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit

Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASH & BIRCH, LLP

By   
James T. Eller, Jr.  
Reg. No. 39,538

P.O. Box 747  
Falls Church, VA 22032-0747  
(703) 205-8000

JTE/SB:mmi